

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Trizenia Lakeny Brisbon,

Plaintiff,

vs.

Andrew M. Saul, Commissioner
of Social Security,

Defendant.

Civil Action No. 4:20-820-RMG

ORDER

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on May 11, 2021, recommending that the decision of the Commissioner be reversed and remanded to the agency because of the failure of the Administrative Law Judge ("ALJ") to (1) explain how Plaintiff's recognized history of severe migraines and the impairments arising from the migraines impacted her ability to sustain employment on a regular and continuing basis; and (2) provide a logical evidentiary bridge to support the ALJ's finding that Plaintiff's allegations of impairments flowing from her migraines were inconsistent with her treatment history. (Dkt. No. 23). The Commissioner has filed a response informing the Court he does not intend to object to the R & R of the Magistrate Judge. (Dkt. No.24).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

Charleston, South Carolina
May 26, 2021